

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

CRIMINAL NO. 1:CR-98-056

v.

PAUL N. LITTLES

:
:
:
:
:
:
:
:
:
:
:

MEMORANDUM

Before the court is a motion pursuant to Federal Rule of Civil Procedure 60(b)(6) (doc. 148). This is one of many such motions filed by Defendant Paul N. Littles. The instant motion claims this court, in addressing a previous § 2255 motion, did not address all issues. That ruling was dated November 7, 2001 (doc. 99). Littles filed a motion for reconsideration of that order, which was denied by order dated February 7, 2002 (doc.108). Littles' request for a certificate of appealability was denied by the Third Circuit Court of Appeals on May 29, 2003 (doc. 110).

Since that time, Littles has filed the following motions affecting his case:

January 24, 2006, Motion to Vacate, 28 U.S.C. § 2255 (doc. 113);

September 17, 2008, Motion to Dismiss for Lack of Territorial and Subject Matter Jurisdiction (doc. 125);

January 19, 2011, Motion for Relief from Void Judgment (doc. 129);

February 15, 2011, Motion for Reconsideration (doc. 131);

March 31, 2011, Notice of Appeal (doc. 133);

November 10, 2011, Motion Pursuant to Fed. R. Civ. P. 60(b)(6) (doc. 139);

November 17, 2011, Notice of Appeal (doc. 140);

April 16, 2012, Motion Pursuant to Fed. R. Civ. P. 60(b)(6) (doc. 143) (Stricken by order of April 17, 2012 (doc. 144);

April 20, 2012, Notice of Appeal (doc. 145)

All of the above motions were dismissed or stricken.

The Third Circuit Court of Appeals has held that a Rule 60(b) motion may not be used by a defendant in a criminal case to relieve him from judgment. *Robinson v. Sniezek*, 401 Fed. Appx. 645, 647 n.2, 2010 WL 4540439 (3d Cir. 2010).

This court, therefore, will dismiss the present motion. An appropriate order will be issued.

s/Sylvia H. Rambo
United States District Judge

Dated: May 15, 2012.

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

:
:
:
:
:
:
:
:
:
:

CRIMINAL NO. 1:CR-98-056

v.

PAUL N. LITTLES

ORDER

In accordance with the accompanying memorandum, **IT IS HEREBY ORDERED THAT** the motion filed pursuant to Federal Rule of Civil Procedure 60(b) (doc. 148) is **DISMISSED**.

s/Sylvia H. Rambo
United States District Judge

Dated: May 15, 2012.